

RECEIVED  
CENTRAL FAX CENTER

NOV 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: E. Martinez-Force et al. Attorney Docket No.: ARNO118345  
Application No.: 10/009,067 Group Art Unit: 1617  
Filed: July 16, 2002 Examiner: S.A. Jiang  
Title: USE OF HIGH OLEIC HIGH STEARIC OILS

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER PRIOR PATENTS

## TO THE COMMISSIONER FOR PATENTS:

Consejo Superior de Investigaciones Cientificas, a company registered under the laws of Spain, having a principal place of business at C/Serrano 117, ES28006, Madrid, Spain, represents that it is the owner of the entire right, title, and interest in the above-identified patent application by an assignment from the inventor(s) of the above-identified patent application. The assignment was recorded in the U.S. Patent and Trademark Office at Reel 013903, Frame 0952.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

The owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336 in the event that said prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336 later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of their full statutory terms as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>SM</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

-1-

ARNO118345A.DOC  
RECEIVED 10:50 AM

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

CONSEJO SUPERIOR DE  
INVESTIGACIONES CIENTIFICAS

18 - 10 - 2004  
Date

By: X  
Printed Name: Carlos Martinez - A.  
Title: PRESIDENTE

KBB:skg

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

AT0901545181A.DOC  
10/15/04 10:00 AM

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKewed/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**